

**REMARKS**

Herein, the "Action" or "Office Action" refers to the Office Action dated 8/11/2004.

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 2, 6-18, and 20-37 are presently pending. Claims amended herein are 1, 6, 13, 16, 20, 23-27, 31, and 35. Claims withdrawn or cancelled herein are 3-5, 19, and 46-47. New claims added herein are none.

**Title**

The Office rejects the title of the invention as being non-descriptive. Accordingly, Applicant provides a new title with an amendment to the specification.

**Allowable Claims**

Applicant appreciates the Office's recognition of the allowability of claims 30, 32-34, and 36-37. Furthermore, Applicant appreciates the Office's recognition of the allowability of dependent claims 5-6 and 19-20 if re-written in independent form. Applicant does that herein. However, Applicant incorporates the dependencies of claim 5 into its base claim 1 and the dependencies of claim 19 into its base claim 16.

To speed along issuance of claims in this case, Applicant cancels claims 3-5, 19, and 46-47 which leaves primarily the claims pending which are the ones that the Office indicates would be allowable.

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Serial No.: 09/843,287  
Atty Docket No.: MS1-794us  
RESPONSE TO NON-FINAL OFFICE ACTION

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att: Kasey C. Christie

### **Formal Claim Rejections**

The Office notes the occurrence of small-font-size text in claims 1, 17, and 46. Applicant amends the pending claims to remove such apparently extraneous text.

The Office rejects claims 23-26 under 35 USC § 112, 2<sup>nd</sup> ¶, as being indefinite "for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." In particular, the Office notes that the recitation of "the information pattern" in these claims lacks an antecedent basis. Accordingly, Applicant amends these claims to provide the correct term ("watermark"), which has an antecedent basis.

### **Substantive Claim Rejections**

The Office rejects claims 13, 27, 31, and 37 under 35 USC § 101 because, it asserts, the invention is directed at non-statutory subject matter. Applicant amends these claims to include language that indicates that the generated signal is embodied on a computer-readable medium. Applicant submits that, with this amendment, these claims are statutory.

The substantive rejections (under §§ 102 and 103) of the original forms of claims 1-4, 7-18, 21-23, 24-29, and 46-47 are moot since these claims have been withdrawn from consideration or have been amended to incorporate elements and features that the Office indicates are allowable.

In their original form, these claims are withdrawn from consideration. Applicant does this in order speed along issuance of the pending claims that the Office indicates are allowable or would be allowable if re-written into independent form.

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Applicant reserves the right to reintroduce these claims at a later date.

**Conclusion**

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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By: 

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